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REMARKS/DISCUSSION OF ISSUES

Priority Claim. The Applicant thanks Examiner Lam for acknowledging the claim for priority and receipt of certified copies of all the priority documents.

Specification. In the Non-Final Office Action, Examiner Lam objected to the specification for various reasons. First, Examiner Lam objected to the abstract for including two paragraphs. The Applicant has herein amended the abstract to include a single paragraph. Second, Examiner Lam objected to page 2, line 23 for reciting "An attendant advantage is". The Applicant respectfully traverses this objection, because this recitation accurately conveys the description of the corresponding paragraphs as intended by the Applicant. Finally, Examiner Lam objected to the lack of section headings. The Applicant respectfully traverses this objection, because section headings are not required in accordance with MPEP §608.01(a).

No new matter was introduced by the amendment of the specification herein. Withdrawal of the objections to the specification is therefore respectfully requested.

Drawings. The drawings have been amended herein to correct a labeling omission in FIG. 1 and a labeling error in FIG. 4. No new matter was introduced into the drawing amendments herein.

Claims. In the Non-Final Office Action, Examiner Lam objected to and rejected pending claims 1-15 on various grounds. The Applicant responds to each objection and rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112:

A. Examiner Lam objected to claim 9 under 35 U.S.C. §112, ¶2.

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The Applicant has cancelled claim 9 herein. Withdrawal of the rejection of claim 9 under 35 U.S.C. §112, ¶2 is therefore respectfully requested.

- B. Examiner Lam rejected claims 1, 7, 8, 9 and 15 under 35 U.S.C. §102(a) as being anticipated by U.S. Patent No. 5,550,593 to *Nakabayashi*.

The Applicant has cancelled claim 9 herein. Withdrawal of the rejection of claim 9 under 35 U.S.C. §102(a) as being anticipated by *Nakabayashi* is therefore respectfully requested.

The Applicant has thoroughly considered Examiner Lam's remarks concerning the patentability of claims 1, 7, 8 and 15 over *Nakabayashi*. The Applicant has also thoroughly read *Nakabayashi*. To warrant this anticipation rejection of independent claims 1, 7, 8 and 15, *Nakabayashi* must show each and every limitation of independent claim 1 in as complete detail as is contained in independent claims 1, 7, 8 and 15. See, MPEP §2131. The Applicant respectfully traverses this anticipation rejection of independent claims 1, 7, 8 and 15, because *Nakabayashi* fails to disclose and teaches away from "the combined data packet includes a header field which is arranged for indicating the presence of data packets of the original data streams in the combined data packet" as originally recited in independent claims 1, 7, 8 and 15.

As to the traversal, a combined data packet as well known by one having ordinary skill in the art includes a plurality of data packets from a plurality of data streams. Thus, by its very nature, data packets are present in the combined data packet. Consequently, a header field for indicating data packets are present in the combined data packet is unnecessary.

The scope of independent claims 1, 7, 8 and 15 encompasses a combined data packet including one or more data packets from one or more data streams, and a header field for indicating which data packets are present in the combined data packet. This is new and unique over the *Nakabayashi*.

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Specifically, as illustrated in FIG. 8, *Nakabayashi* discloses a combined data packet including header fields in the form of an audio data length field 81, a video data length field 82, a character data length field 83, and a number of packets field 84. *Nakabayashi* fails to teach or suggest that any of these header fields indicate which packets among packets 1 to W are present in the combined data packet. See, *Nakabayashi* at column 6, lines 11-19.

Withdrawal of the rejection of claims 1, 7, 8 and 15 under §102(a) as being anticipated by *Nakabayashi* is therefore respectfully requested

- C. Examiner Lam rejected claims 2 and 10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,550,593 to *Nakabayashi* in view of RFC1661 written by *Simpson et al.*

Claim 2 depends from independent claim 1. Therefore, dependent claim 2 includes all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claim 2 is allowable over *Nakabayashi* in view of *Simpson* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over *Nakabayashi*. Furthermore, the Applicant respectfully traverses this obviousness rejection of dependent claim 2, because Examiner Lam has failed to state a legally sufficient motivation or suggestion to combine *Nakabayashi* and *Simpson* as proposed by Examiner Lam. Withdrawal of the rejection of dependent claim 2 under U.S.C. §103(a) as being patentable over *Nakabayashi* in view of *Simpson* is therefore respectfully requested.

Claim 10 depends from independent claim 7. Therefore, dependent claim 10 includes all of the elements and limitations of independent claim 7. It is therefore respectfully submitted by the Applicant that dependent claim 10 is allowable over *Nakabayashi* in view of *Simpson* for at least the same reason as set forth herein with respect to independent claim 7 being allowable over *Nakabayashi*. Furthermore, the Applicant respectfully traverses this obviousness rejection of dependent claim 10, because Examiner Lam has failed to state a legally sufficient motivation or suggestion

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to combine *Nakabayashi* and *Simpson* as proposed by Examiner Lam. Withdrawal of the rejection of dependent claim 10 under U.S.C. §103(a) as being patentable over *Nakabayashi* in view of *Simpson* is therefore respectfully requested.

- D. Examiner Lam rejected claims 3-6 and 11-14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,550,593 to *Nakabayashi* in view of RFC 1889 written by *Schulzrinne* et al.

Claim 3-6 depend from independent claim 1. Therefore, dependent claim 3-6 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 3-6 are allowable over *Nakabayashi* in view of *Schulzrinne* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over *Nakabayashi*. Furthermore, the Applicant respectfully traverses this obviousness rejection of dependent claims 3-6, because Examiner Lam has failed to state a legally sufficient motivation or suggestion to combine *Nakabayashi* and *Schulzrinne* as proposed by Examiner Lam. Withdrawal of the rejection of dependent claims 3-6 under U.S.C. §103(a) as being patentable over *Nakabayashi* in view of *Schulzrinne* is therefore respectfully requested.

Claims 11-14 depend from independent claim 7. Therefore, dependent claims 11-14 include all of the elements and limitations of independent claim 7. It is therefore respectfully submitted by the Applicant that dependent claims 11-14 are allowable over *Nakabayashi* in view of *Schulzrinne* for at least the same reason as set forth herein with respect to independent claim 7 being allowable over *Nakabayashi*. Furthermore, the Applicant respectfully traverses this obviousness rejection of dependent claims 11-14, because Examiner Lam has failed to state a legally sufficient motivation or suggestion to combine *Nakabayashi* and *Schulzrinne* as proposed by Examiner Lam. Withdrawal of the rejection of dependent claims 11-14 under U.S.C. §103(a) as being patentable over *Nakabayashi* in view of *Schulzrinne* is therefore respectfully requested.

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SUMMARY

Examiner Lam's objections and rejections of pending claims 1-15 have been obviated by remarks herein supporting allowance of claims 1-15 over the art of record. The Applicant has supported an allowance of new claims 16-20 over the art of record. The Applicant respectfully submits that claims 1-20 as listed herein fully satisfy the requirements of 35 U.S.C. §§ 102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Lam is respectfully requested to contact the undersigned at the telephone number listed below

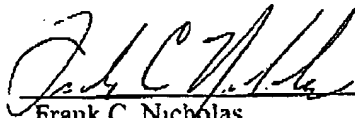
Dated. April 8, 2004

Respectfully submitted,
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